

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROSA MARIA DE ANDA MADRID,

Defendant.

8:14CV229

ORDER

This matter comes before the court after a review of the court file and pursuant to NECivR 41.2, which states in pertinent part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

In this case the complaint was filed on August 7, 2014. **See** Filing No. 1. On August 13, 2014, the plaintiff sought and received summons for the defendant. **See** Filing Nos. 3-4. On August 14, 2014, the plaintiff filed notice of serving the defendant. **See** Filing No. 5. The plaintiff has taken no other action against the defendant. It remains the plaintiff’s duty to go forward in prosecuting the case against the defendant. The plaintiff may, for example, file a motion for clerk’s entry of default pursuant to Fed. R. Civ. P. 55 and NECivR 55.1(a) or voluntarily dismiss the non-participating defendant, as appropriate. Under the circumstances, the plaintiff must make a showing of good cause for failure to prosecute the defendant or the action must be dismissed against her. Accordingly,

IT IS ORDERED:

The plaintiff has until the close of business on **October 16, 2014**, to show cause why this case should not be dismissed as against the defendant for failure to prosecute or take some other appropriate action.

Dated this 1st day of October, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge